

Henry E. Crawford

ATTORNEY AT LAW

1150 CONNECTICUT AVENUE, N.W.
SUITE 900
WASHINGTON, D.C. 20036-4192

October 14, 1999

BY HAND DELIVERY

Ms. Magalie R. Salas, Secretary
Federal Communications Commission
Portals II, TW-A325
445 Twelfth Street, S.W.
Washington, D.C. 20554

Re: In the Matter of
Amendment of Section 73.202(b)
Table of Allotments FM Broadcast
Stations (Mishicot, Wisconsin and
Gulliver, Michigan)
MM Docket No. 99-145; RM No. 9336

Dear Ms. Salas:

Transmitted herewith on behalf of Roy E. Henderson d/b/a Indian River Broadcasting Company are an original and four (4) copies of its "Opposition to Motion to Accept Supplemental Joint Reply Comments" as directed to the Allocations Branch.

Should any additional information be required, please contact this office.

Very truly yours,

Henry E. Crawford
Henry E. Crawford
Counsel for
Roy E. Henderson d/b/a Indian
River Broadcasting Company

No. of Copies rec'd
List ABOVE

0+4

BEFORE THE
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C.

In the Matter of

Amendment of Section 73.202(b)
Table of Allotments
FM Broadcast Stations
(Mishicot, Wisconsin and
Gulliver, Michigan)

MM Docket No. 99-145

RM No. 9336

RECEIVED

OCT 14 1999

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

To: The Chief, Allocations Branch
Policy and Rules Division
Mass Media Bureau

**OPPOSITION TO MOTION TO ACCEPT
SUPPLEMENTAL JOINT REPLY COMMENTS**

Roy E. Henderson d/b/a Indian River Broadcasting Company ("Indian River"), by counsel, pursuant to 47 CFR § 145(a), respectfully submits its *Opposition to Motion to Accept Supplemental Joint Reply Comments* in response to the *Motion to Accept Supplement Joint Reply Comments* filed jointly by Bay-Lakes Valley Broadcasters, Inc. ("Bay-Lakes") and Great Lakes Radio, Inc. ("Great Lakes"), collectively referred to as the "Joint Movants", on September 29, 1999. In support thereof, the following is stated:

1. On June 28, 1999, Bay-Lakes filed comments and a conditional counterproposal in this proceeding. On that same day, Great Lakes filed its own comments opposing the Bay-Lakes proposal on the issue of reimbursement of expenses. Bay-Lakes subsequently opposed Great Lakes' claims in reply comments filed on July 13, 1999.

No. of Copies rec'd
List ABCDE

0+4

2. In the instant Motion, the Joint Movants seek to "notify" the Commission of a "definitive agreement" to provide reimbursement to Great Lakes. According to the Joint Movants, this agreement should be accepted for Commission notice "...since a conflict between the two parties has been resolved." Motion, p. 2. However, no copy of the agreement was provided by the parties and the terms of the agreement were not disclosed in the Motion.

3. Indian River respectfully submits that in accordance with 47 CFR § 1.420(j), the Joint Movants must submit any agreement entered into between them to resolve the rulemaking conflict in the present case. In the absence of complete disclosure, the Commission should not entertain the Joint Movants' request that the Commission take official notice of that agreement.

WHEREFORE, Roy E. Henderson d/b/a Indian River Broadcasting Company respectfully requests that the Commission not take official notice of the Joint Movants' asserted agreement unless and until the Joint Movants produce the expense reimbursement agreement and otherwise provide full disclosure of its terms.

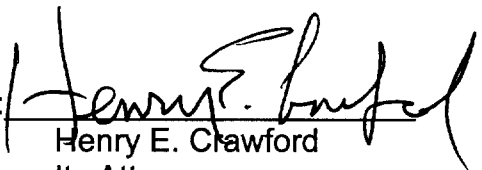
October 14, 1999

Law Offices of

Henry E. Crawford, Esq.
1150 Connecticut Avenue, N.W.
Suite 900
Washington, D.C. 20036-4192
(202) 862-4395
E-Mail: hc@HenryCrawfordLaw.com
Web: <http://www.HenryCrawfordLaw.com>

Respectfully Submitted,

Roy E. Henderson d/b/a Indian
River Broadcasting Company

By: 
Henry E. Crawford
Its Attorney

CERTIFICATE OF SERVICE

I, Henry E. Crawford, do hereby certify that copies of the foregoing
Opposition to Motion to Accept Supplemental Joint Reply Comments have been
served by United States mail, postage prepaid this 14th day of October, 1999
upon the following:

John F. Garziglia, Esq.
Pepper & Corazzini
1776 K Street, NW
Suite 200
Washington DC 20006
Counsel for Bay-Lakes-Valley
Broadcasters, Inc.

Cary S. Tepper
Booth Freret Imlay & Tepper, P.C.
5101 Wisconsin Avenue, NW
Washington DC 20016-4120
Counsel for Great Lakes Radio,
Inc.

Great Lakes Radio Incorporated
101 Huron Court
Negaunee, MI 49866
Licensee of WCMM(FM),
Gulliver, Michigan

Philip J. Robbins
2733 Manitowoc Road
Suite 8B
Green Bay, WI 54311
Applicant for Channel 260A at
Manistique, Michigan

Todd Stuart Noordyk
101 Huron Court
Negaunee, MI 49866
Applicant for Channel 260A at
Manistique, Michigan

Matthew H. McCormick
Reddy, Begley & McCormick
2175 R Street, N.W.
Suite 350
Washington, D.C. 20037-1803
Counsel to Ives Broadcasting,
Inc.



Henry E. Crawford